

From: David Morrison <David.Morrison@steptoe-johnson.com>
Date: September 7, 2017 at 2:12:36 PM EDT
To: Mandy Taylor <[mandy@newLawoffice.com](mailto:mandy@newlawoffice.com)>
Cc: Shawn Morgan <Shawn.Morgan@Steptoe-Johnson.com>
Subject: RE: Mountaineer Consulting & Development

Mandy,

I subpoenaed the information from your client when Mountaineer did not respond to the subpoena served on it.

David.

From: Mandy Taylor [<mailto:mandy@newLawoffice.com>]
Sent: Thursday, September 07, 2017 1:41 PM
To: David Morrison
Cc: Shawn Morgan; Stephen New
Subject: RE: Mountaineer Consulting & Development

David:

You can spend all the time you want on this fishing expedition. It is my opinion that it falls outside the scope of discoverable information, but I'll entertain it so that you can satisfy your curiosity. My client has nothing to hide. Mr. Mahon's statements that he does not own the membership interest in the company is not inconsistent with Mr. Stratton's testimony, or information that is publically available through the secretary of state. This is why, I suspect, you also subpoenaed that information from my client. I will file a protective order if you intend to depose Mr. Stratton as to Mountaineer again. As you state in your email, you already deposed him on this topic, at which time you had the tax returns that you are referencing. I recall there being plenty of questions about them. Per my email this morning, my client will provide documents in response to your subpoena to Mountaineer.

I am available for depositions on the 13, 14, 15, 20, and 28.

Thanks,
Mandy

From: David Morrison [<mailto:David.Morrison@steptoe-johnson.com>]
Sent: Thursday, September 07, 2017 1:28 PM
To: mandy@newLawoffice.com
Cc: Shawn Morgan <Shawn.Morgan@Steptoe-Johnson.com>
Subject: Mountaineer Consulting & Development

Mandy,

We plan to get to the bottom of this mystery. Mr. Stratton testified on pages 301-07 of his deposition that he had never been to the business address for Mountaineer, that he did not really know what the business did, that he placed the business in his name because Mr. Mahon asked him to, and that Mr.

Mahon's accountant did his taxes. In response to our subpoena for information, Mr. Mahon's attorney sent us a letter today saying:

"Mr. Mahon does not own the membership interests of Mountaineer Development & Consulting, LLC. Although the subpoena does not specify time period, Mr. Mahon is not and has not been an employee of Mountaineer Development & Consulting, LLC. Moreover, Mr. Mahon does not prepare or maintain financial statements for Mountaineer Development & Consulting, LLC." So far, according to the income tax returns your client provided, your client has declared for the IRS a grand total of \$105 income from Mountaineer in three years.

Therefore, given the response of Mr. Mahon to my subpoena, I am going to add to the deposition of Mr. Stratton on September 18th questions about Mountaineer. I am also going to depose Mr. Mahon. Please give me some dates in September when you are available for a deposition in Kentucky.

Thanks,

David.

Steptoe & Johnson PLLC Note:

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